

REMARKS

Claims 1-9 and 19-32 are pending. Of those claims, claims 1, 19, 26 and 28 remain independent.

In the outstanding final Office Action, claims 1-9, 19-26 and 28-32 are rejected under 35 USC Section 102(b) as being anticipated by Katayama (US 5,699,108). Dependent claims 3 and 7 are rejected under 35 USC Section 103(a) as being unpatentable over Katayama in view of Ishikawa (US 6,549,650). Dependent claim 27 is rejected under 35 USC Section 103(a) as being unpatentable over Katayama in view of Orimoto (US 7,102,686). Lastly, dependent claims 29-32 are rejected under 35 USC Section 103(a) as being unpatentable over Ishikawa and Katayama, and further in view of Inaba (US 5,778,268).

The foregoing rejections are respectfully disagreed with, and are traversed below.

As noted above, all independent claims are rejected as being anticipated by Katayama.

In the outstanding Office Action, the Examiner contends at pages 2-3 that Katayama teaches the limitations of, for example, claim 1 as claim 1 does not include a limitation defining a mechanical linkage that is designed to turn the two cameras CAM1 and CAM 2 as their distance changes. The Examiner further contends at pages 2-3 that "claim 1 as currently presented, simply states that 'the mutual position is configured such that altering mutual distance between the cameras is configured to cause turning of the cameras relative to each other'. There is no linkage requirement in the claim limitation."

It is respectfully initially noted that dependent claims 29-32, however, each recite a mechanical connection between the cameras, referred to by the Examiner. That is, claim 29 depends directly from claim 1 and recites, in part, "a mechanical connection between the cameras, wherein the mechanical connection is configured to cause the turning of the cameras relative to each other to correspond to the current imaging mode in response to the mutual distance between them being altered". Claim 30 depends directly from independent claim 19 and recites, in part, "causing the turning of the cameras relative to each other to correspond to the current imaging mode in response to the mutual distance between the cameras being

altered by a mechanical connection between the cameras." Claim 31, which depends directly from independent claim 26 recites, in part, "a mechanical connection between the cameras, wherein the mechanical connection is configured to cause the turning of the cameras relative to each other to correspond to the determined imaging mode in response to the mutual distance between the cameras being altered." Claim 32, which depends directly from independent claim 28, recites, in part, "causing the turning of the cameras relative to each other to correspond to the current imaging mode in response to the mutual distance between the cameras being altered is performed by a mechanical connection between the cameras."

The Examiner appears to thus correctly recognize at pages 2-3 of the Action that Katayama does not teach Applicant's claimed apparatus, method, module or computer-readable storage device comprising such a mechanical connection between the camera units.

However, the Examiner asserts in the Action at pages 10-11 in the rejection of claims 29-32 that it would have been obvious to one of ordinary skill in the art to incorporate a lens shifting cam as taught by Inaba into the Katayama apparatus so as to provide a manual override as a back up mode for the image pickup should the electronics fail to drive the two cameras. Applicant respectfully disagrees with the Examiner's analysis.

It is respectfully noted that even if Inaba discloses a mechanical shifting cam that moves camera lenses sideways (Applicant makes no admission by this statement), Inaba does not teach or suggest a mechanical connection that would cause turning of the cameras to correspond, for example, to the current imaging mode in response to the distance between the cameras being altered. It is respectfully submitted that for at least this reason the shifting cam of Inaba would not be sufficient for backing up the electronics of Katayama as the Examiner suggests.

The Examiner further contends that in Katayama the microprocessor calculates the distance between the two cameras and their rotational angles. The shifting cam of Inaba does not have such functionality. If the electronics (the microprocessor) of Katayama fail, the distance and the rotational angle will not be calculated and thus

there will be no linkage between the distance and the angles even if the shifting cam of Inaba would be present. The shifting cam does not provide any calculation of angles or linkage between distance and angle of the cameras.

Therefore, at least the mechanical connection that is configured to provide/provides turning of the cameras to correspond to the current imaging mode in response to the distance between cameras being altered clearly distinguishes from the combination of Katayama and Inaba (see claims 29, 30 and 32). Similarly, regarding claim 31, at least the mechanical connection that is configured to provide turning of the cameras to correspond to the determined imaging mode in response to the distance between cameras being altered clearly distinguishes from the combination of Katayama and Inaba.

For at least the foregoing reasons, it is respectfully submitted that claims 29-32 are new and non-obvious in view of the cited art.

Regarding independent claims 1, 19, 26 and 28, which are each rejected as being anticipated by Katayama, as noted above, Applicant maintains that these claims also are patentable in view of the cited art.

For example, Katayama discloses photography with the two cameras. According to Katayama at column 7, a microprocessor calculates image pickup conditions and the image pickup conditions are displayed in a finder screen. The microprocessor receives rotational signals from rotational angle encoders and calculates convergence angles. Baseline length is calculated from signals received from position information detection means. The microprocessor calculates also distance to the gazing point.

Thus, according to Katayama, the baseline length and the convergence angles can be freely and independently varied to obtain desired photography mode. There is no linkage from any certain baseline length value to any certain convergence angle. In contrast, Applicant's independent claim 1 recites an advantageous feature in which "altering mutual distance between the cameras is configured to cause turning of the cameras relative to each other".

Similarly, independent claim 19 recites, in part, "adjusting a mutual position of the cameras to correspond to the determined imaging mode, and wherein the adjusting of the mutual position comprises causing turning of the cameras relative to each other by altering mutual distance between the cameras, if the mutual position of the cameras do not correspond to the determined imaging mode".

Independent claim 26 recites, in part, "wherein the altering is configured such that adjusting the distance between the cameras is configured to cause turning of the cameras relative to each other."

Independent claim 28 also recites, in part, "adjusting a mutual position of a camera module comprising at least two cameras to correspond to a determined imaging mode, and wherein the adjusting of the mutual position comprises causing turning of the cameras relative to each other by altering the mutual distance between the cameras, if the mutual position of the cameras do not correspond to the determined imaging mode."

Such recited features are not disclosed in, or even suggested by, Katayama. By having a structure in which "*altering mutual distance between the cameras is configured to cause turning of the cameras relative to each other*", the end user is not necessarily required to carry out any operations at all, for example, to adjust the image angle of the cameras (see page 21, lines 21-29 of Applicant's specification). Such an advantageous effect is not obtained in Katayama, in which all settings are freely adjustable.

Accordingly, independent claims 1, 19, 26 and 28 are patentable in view of Katayama, and the Examiner's anticipation of these claims based upon Katayama should be reconsidered and withdrawn.

Accordingly, all remaining dependent claims also are patentable at least in view of their dependency from an allowable independent claim. For completion, it is respectfully noted that the addition of Ishikawa, Orimoto, and/or Inaba, which were additionally cited in the rejection of Applicant's dependent claims does not cure the shortcoming of Katayama, and thus does not disclose or suggest Applicant's

claimed subject matter. For example, dependent claims 29-32 are patentable for the additional reasons described above.

All issues having been addressed, the subject application is believed to be in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to enter and consider this Response as no new issues requiring further search and/or consideration are presented. Reconsideration and withdrawal of the outstanding rejections is requested. A Notice of Allowance is therefore earnestly solicited.

A call to the undersigned would be appreciated should the Examiner have any questions.

Respectfully submitted:



Christine Wilkes Beninati
Reg. No.: 37,967


Date

Customer No.: 10948
HARRINGTON & SMITH, ATTORNEYS AT LAW, LLC
4 Research Drive
Shelton, CT 06484-6212
Telephone: (203) 925-9400
Facsimile: (203) 944-0245